Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 0 1 2 - 0 0 2 7 4 - 0 2 7 2 - 4 6 1	Date: 1/7/12	Time: 1235 Hrs.	
Location: [redacted] Geraghty Avenue	City or Station: Los Angeles		
Bureau/Station/Facility: East Los Angeles Station	Admin. Investigation: YES ☐ NO ☐		
Type of Force: Significant - Fractured arm			
Deputy Injury : YES ☐ NO ☒	Suspect Injury YES ☒ NO ☐		
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Ault	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee # [redacted]	Last Name: Ortega	First Name: Marcelo	Middle Name: NMN
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): 21A
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5' 11" Weight: 215 Lbs.
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Rothe	Frank	A.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Soto	Joaquin	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lopez	Daniel	V.

Daniel V. Lopez
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Patrick Kim
Supervisor Completing Form: (**Print Name**) — [redacted] Emp #: — Copy Provided to Employee by: — Emp #:

Henry M. Romero
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
0 1 2 - 0 0 2 7 4 - 0 2 7 2 - 4 6 1

Suspect Information

S 1

Last Name: Flores | First Name: Isabel | Middle Name: F.

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [X] Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: [redacted] | Age: 58 | Height: 5' 4" | D.O.B. 07/27/53 | Weight: 220 Lbs. | Armed? [ ]

Booking #: NIC | Primary Charge Code: 5150 WIC | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [X] YES [ ] NO Name: | Unit: | Phone #:

Hospital Admission? [X] | Rec'd Treatment At: East L.A. Doctors Hospital | Coroner Case #: | Mental History [redacted]

By Doctor: Yaser Khilfeh | Address: 4060 Whittier Bl., Los Angeles 90032 | Phone #: (323) 260-4189

Under Influence: [ ] YES [X] NO | Substance: | Mental Illness [X]

Suspect Interview

Date: 01/07/12 | Time: 1501 Hrs. | [X] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
0 1 2 - 0 0 2 7 4 - 0 2 7 2 - 4 6 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Carr	Gregory	A.
[redacted]	Inzunza	Humberto	R.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		Adult

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ **Additional Witness**

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Flores	S1	Ortega	E1	UC	NN	NN
Ortega	E1	Flores	S1	CT	FR	AR

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

SIGNIFICANT USE OF FORCE
FORCE RESULTING IN A SKELETAL FRACTURE - LEFT HUMERUS BONE

UNIT: EAST LOS ANGELES STATION

DATE / TIME OF INCIDENT: JANUARY 7, 2012 (SATURDAY) / 1245 HOURS

LOCATION: [redacted] GERAGHTY AVENUE
LOS ANGELES, CA 90063

URN: 012-00274-0272-461

IAB #: FO2304323

SYNOPSIS

Deputy Ortega responded to a family disturbance call at [redacted] Geraghty Avenue in East Los Angeles. Once at the location, he learned that Patient Flores had a verbal argument with her sister and other family members. Moments after Deputy Ortega arrived, Los Angeles County Paramedics, who were dispatched to the home at the time of the call, began treating Patient Flores for chest pains.

Patient Flores walked down a flight of stairs from her house to a gurney that was waiting for her at street level in front of the residence. She was placed on the gurney and about to be placed inside the ambulance.

A paramedic suddenly alerted Deputy personnel that Patient Flores had removed herself from the gurney and requested them to detain her because she wanted to harm herself. As Patient Flores was walking back to her house, Deputy Ortega requested her to stop several times, but she refused to comply.

Deputy Ortega then grabbed Patient Flores' elbows from behind, at which time she attempted to break free from his grasp. Deputy Ortega placed Patient Flores against the side of a paramedic truck and placed her left arm behind her back.

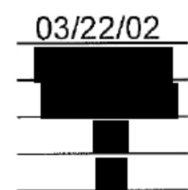
Patient Flores immediately complained of pain to her left arm. With the assistance of Deputies Carr and Inzunza, Patient Flores was handcuffed without further incident and transported to East L.A. Doctors Hospital by ambulance where she was placed on a 5150 WIC hold.

At 1820 hours, East Los Angeles Station personnel received notification from the hospital staff that Patient Flores had sustained a spiral fracture of the left humerus bone. At 1915 hours, Lieutenant Alicia Ault was notified of the incident and that Patient Flores was diagnosed with a fractured arm. An IAB Force Team did not respond as the scene was not held and the patient was no longer in custody.

INVOLVED PERSONNEL AND EMPLOYEE WORK HISTORY

Deputy Marcelo Ortega, #[redacted]

Date of employment	03/22/02
Date assigned to patrol	[redacted]
Completed patrol training	[redacted]
Prior shooting incidents	[redacted]
Prior founded force incidents	[redacted]



PATIENT INFORMATION

Isabel Flores
Female, Hispanic, Age: 58, DOB: 07-27-1953, 5' 4", 220 lbs

[redacted]

WITNESSES

Deputy Gregory Carr
Deputy Humberto Inzunza
Firefighter [redacted]
Firefighter [redacted]
EMT [redacted]
EMT [redacted]

INJURIES

Patient Flores sustained an acute fracture to her left humerus bone. Refer to her medical assessment **[EXHIBIT A]** for more detailed information.

No Deputy personnel were injured.

PHYSICAL EVIDENCE

There was no physical evidence.

INVESTIGATOR'S OBSERVATIONS

The incident occurred on a two-way residential street in East Los Angeles.

WEAPONS USED BY DEPUTY PERSONNEL

Personal weapons.

WEAPONS USED BY SUSPECT

Personal weapons.

PROPERTY DAMAGE

None

CRIMINAL CHARGES FILED

There were no criminal charges filed on Patient Flores.

INVOLVED DEPUTY AND WITNESS STATEMENTS

The following narratives are intended only as synopses of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Deputy Marcelo Ortega

On March 21, 2012, Deputy Ortega was interviewed at IAB by Sergeant Patrick Kim and Sergeant Victor Allen. Deputy Ortega said he responded to the location regarding a family disturbance call. Upon his arrival, he contacted Patient Flores who complained to him about having medical problems. He summoned for paramedics, who arrived at the location shortly afterward. The paramedics escorted Patient Flores down a flight of stairs to an ambulance.

Deputy Ortega said that he was with Deputies Carr and Inzunza, approximately ten to fifteen feet away from the ambulance when he heard Paramedic [redacted] yell out, "Hey, bro, can you stop her? She wants to hurt herself." Deputy Ortega said he detained Patient Flores and told her several times for her to allow the paramedics to provide her the medical attention she needed. Patient Flores was uncooperative and attempted to pull away, at which time Deputy Ortega said he applied a firm grip on Patient Flores' elbows from behind. Patient Flores then attempted to pull away while also trying to kick his lower body. Deputy Ortega said he then placed Patient Flores against a Fire Department vehicle as she continued to argue with him and pull away. Patient Flores then attempted to hit him with her elbow, at which time Deputy Ortega said he grabbed her left wrist and twisted it behind her back in an effort to handcuff her. Deputy Ortega said it was this time he heard a popping sound, but was not sure what caused it.

Patient Flores complained of pain to her arm at this point. Deputies Inzunza and Carr assisted him with handcuffing Patient Flores and escorted her to the ambulance without incident. Deputy Ortega said he immediately advised Sergeant Rothe by radio regarding the force incident and also submitted a report **[EXHIBIT B]** to the Watch Sergeant within the same shift.

Deputy Gregory Carr

On March 21, 2012, Deputy Carr was interviewed at IAB by Sergeant Patrick Kim and Sergeant Victor Allen. Deputy Carr said he responded to a family disturbance call where Fire Department personnel were also summoned for someone having chest pains. He arrived at the location simultaneously with Deputy Ortega. He and Deputy Ortega contacted Patient Flores, who complained of chest pains.

Fire Department personnel medically treated Patient Flores and determined that she needed to go to the hospital. The paramedics escorted Patient Flores from her house to a gurney on the street level in front of [redacted] Geraghty Avenue. Deputy Carr said he was approximately fifty feet away when he heard a fireman yell something, at which time he saw Patient Flores walking toward them and back to the house as she was screaming and yelling obscenities at her family. He then heard a fireman yell out to grab Patient Flores because she said she wanted to hurt herself.

Deputy Carr said he was approximately five feet away from Deputy Ortega, who approached Patient Flores from the front and grabbed her by the left shoulder. Deputy Ortega then turned Patient Flores around and placed her against a Fire Department vehicle. Deputy Ortega held Patient Flores' straightened arms behind her back as she was yelling and trying to get away from his grasp. Deputy Carr said he applied a firm grip on Patient Flores' left arm and her wrist which allowed Deputy Ortega to handcuff her without further incident.

Deputy Carr said he immediately notified Sergeant Rothe of the incident and also submitted a Supplementary Report **[EXHIBIT C]** to him within the same shift.

Deputy Humberto Inzunza

On March 21, 2012, Deputy Inzunza was interviewed at IAB by Sergeant Patrick Kim and Sergeant Victor Allen. Deputy Inzunza said when he arrived at the location, he saw Deputies Ortega and Carr at the front of the residence which is elevated from the street. Fire Department personnel were escorting Patient Flores down to the street level as Deputies Ortega and Carr followed behind them. Patient Flores was then placed on a gurney inside an ambulance.

Deputy Inzunza said as he walked away from the ambulance he heard one of the paramedics tell Deputy Ortega to grab Patient Flores because she had made some comments about hurting herself. He turned around and noticed the gurney was empty.

He then saw Patient Flores standing against the back of the Fire Department squad truck with Deputy Ortega placing her hands behind her back. Deputy Inzunza said he assisted Deputy Ortega with handcuffing Patient Flores without incident. Patient Flores was then placed back onto the gurney again into the ambulance.

Deputy Inzunza said he immediately notified Sergeant Rothe of the incident and also submitted a Supplementary Report **[EXHIBIT D]** to him within the same shift.

Firefighter [redacted]

Firefighter [redacted] told Sergeant Rothe that Deputies arrived on scene and went inside the residence to ensure that it was safe for Fire Department personnel to enter. The Deputies cleared them to enter the house to treat Patient Flores. Firefighter [redacted] said as he conducted a medical assessment of Patient Flores, she told them that she intended to hurt herself.

Firefighter [redacted] said as he walked her out to the gurney, Patient Flores was very agitated, upset, and almost to the point where she was combative with him. He finally got her to the ambulance and then just before she was placed inside, while sitting on the gurney, she immediately told them to let her go. As they tried to calm her down, Patient Flores jumped off the gurney onto the ground. Firefighter [redacted] said he asked the closest Deputy to detain Patient Flores because he didn't want her to hurt herself or to hurt anybody else, given what she had said earlier.

As Deputy Ortega tried to get in her way, Patient Flores tried to go around him. Deputy Ortega then tried to put his hands on her shoulders at which time she "sideswiped" him and walked toward her family members. Deputy Ortega then grabbed Patient Flores' left arm and tried to put her in an arm lock and placed her against the squad truck. Firefighter [redacted] said he then heard a pop coming from Patient Flores which could have possibly been from her shoulder or elbow. Deputy Ortega then handcuffed Patient Flores without further incident.

Firefighter [redacted]

Firefighter [redacted] told Sergeant Rothe Patient Flores was cooperating him and his partner but yelling at her family as she was being wheeled to the ambulance. As he and his partner were just about to put Patient Flores in the ambulance, she unbuckled the strap and quickly got off the gurney as she was trying to "swat" them away.

As Patient Flores walked back toward the house, the Deputies were trying to calm her down and get her to go back to the ambulance. Firefighter [redacted] said there was a lot of commotion so he wasn't sure who instructed Patient Flores to calm down. He was approximately ten to fifteen feet away from Patient Flores as she flailed her arms at two Deputies. One Deputy then grabbed her arms and held her against the side of the paramedic squad and handcuffed her. Patient Flores was then placed back on the gurney and into the ambulance. It wasn't until the handcuffs were taken off of Patient Flores in the back of the ambulance that she complained of pain to her left arm.

EMT [redacted]

EMT [redacted] told Sergeant Rothe Patient Flores unbuckled both seat belts and jumped off the gurney as they trying to load her into the ambulance, which almost caused the gurney to tip over. She pulled Patient Flores' shirt to prevent her falling over. Patient Flores became enraged and yelled at her for pulling her. A paramedic told the Deputies, "You know what, she needs to be detained. She's getting combative." The Deputies approached Patient Flores and told her, "You need to calm down," before physically contacting her. Patient Flores headed back toward the house as she argued with family members and also telling the Deputies not to touch her. EMT [redacted] said she was approximately fifteen to twenty feet away. She saw Patient Flores against the back passenger side of the paramedic truck being handcuffed behind her back, but did not see when the Deputy initially grab or push Patient Flores. Patient Flores was yelling at the Deputies and physically trying to get out of their control. EMT [redacted] said it appeared as if Patient Flores was trying to pull her arms and elbows away from the Deputies, who were telling her to stop her actions.

Deputies then walked Patient Flores back and placed her on the gurney. Patient Flores complained of pain to her arm as she was yelling angrily and being emotional.

EMT [redacted]

EMT [redacted] told Sergeant Rothe he saw Patient Flores walk down the stairs from her house to the sidewalk, where she was placed onto a gurney. She was then wheeled to an ambulance parked across the street. Just prior to being placed into the ambulance, Patient Flores unbuckled the seatbelts, jumped off of the gurney and walked back toward her house. EMT [redacted] said that he and the firefighters told Patient Flores to stay on the gurney, but she refused to comply with their instructions.

EMT [redacted] said he was approximately fifteen feet away when he saw Deputies try to stop

Patient Flores by putting their arms out in front of her. Patient Flores started to flail her arms and yell at the Deputies, who then put their hands against Patient Flores' shoulders and move her against the squad truck. EMT [redacted] said he was unable to see anything beyond this point because his view was obstructed by the other Deputies.

Patient Isabel Flores

Patient Flores told Sergeant Rothe she called 911 for shortness of breath. She was eventually placed onto a gurney and secured to it by seatbelt straps. She became agitated and upset with a family member, at which time she unbuckled herself and jumped off of gurney. She heard Deputies tell her, "Stop it" and "Calm down." Patient Flores said she then walked back toward the house, at which time Deputy Ortega came behind her and grabbed her right arm and put one cuff on it. Deputy Ortega then grabbed her left arm, bent it a certain way and placed it behind her back. She said she felt something snap from her shoulder to her elbow as Deputy Ortega pushed her against the paramedic truck.

She said she told Deputy Ortega that he was hurting her, at which time he pushed her against the vehicle and twisted her left arm and wouldn't let go. She said it felt like it snapped in three places.